



PENNIE &amp; EDMONDS LLP DOCKET NO. 9261-005

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

## SELECTIVE ANXIOLYTIC THERAPEUTIC AGENTS

and for which a patent application:

- is attached hereto and includes amendment(s) filed on *(if applicable)*  
 was filed in the United States on October 5, 2001 as Application No. 09/972,799 *(for declaration not accompanying application)*  
with amendment(s) filed on *(if applicable)*  
 was filed as PCT international Application No. on and was amended under PCT Article 19 on *(if applicable)*

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE
60/238,189	October 5, 2000

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodel (Reg. No. 19766), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriana M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familiant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37386), Garland T. Stephens (Reg. No. 37242), William J. Sipio (Reg. No. 34514), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), and Kenneth L. Stein (Reg. No. 38704), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

<b>SEND CORRESPONDENCE TO:</b>			<b>PENNIE &amp; EDMONDS LLP 1155 Avenue of the Americas New York, N.Y. 10036-2711 PTO Customer No. 20583</b>		<b>DIRECT TELEPHONE CALLS TO: PENNIE &amp; EDMONDS LLP DOCKETING (212) 790-2803</b>	
2 0 1	<b>FULL NAME OF INVENTOR</b>	LAST NAME Hanns	FIRST NAME Möhler	MIDDLE NAME		
	<b>RESIDENCE &amp; CITIZENSHIP</b>	CITY Meilen	STATE OR FOREIGN COUNTRY Switzerland	COUNTRY OF CITIZENSHIP Germany		
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	SIGNATURE OF INVENTOR 201 <i>H. Möller</i>			DATE <i>December 1, 2001</i>		
2 0 2	<b>FULL NAME OF INVENTOR</b>	LAST NAME Rudolph	FIRST NAME Uwe	MIDDLE NAME		
	<b>RESIDENCE &amp; CITIZENSHIP</b>	CITY Zürich	STATE OR FOREIGN COUNTRY Switzerland	COUNTRY OF CITIZENSHIP Germany		
	<b>POST OFFICE ADDRESS</b>	STREET Rigistrasse 24	CITY Zürich	STATE OR COUNTRY Switzerland	ZIP CODE 8006	
	SIGNATURE OF INVENTOR 202 <i>Uwe Rudolph</i>			DATE <i>December 11, 2001</i>		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Möhler et al.  
 Patent of:

Application No.: 09/972,799  
 Patent No.:

Group Art Unit: 1614

Filed: October 5, 2001  
 Issued:

Examiner: To Be Assigned

For: SELECTIVE ANXIOLYTIC THERAPEUTIC Attorney Docket No.: 9261-005  
AGENTS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
[37 CFR and 1.27(a)(1)] - Independent Inventor

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.27(a)(1) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled SELECTIVE ANXIOLYTIC THERAPEUTIC AGENTS described in

- the specification filed herewith  
 application no. 09/972,799 filed October 5, 2001  
 patent no. issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.27(a)(1) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2) or a nonprofit organization under 37 CFR 1.27(a)(3).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

FULL NAME Uwe Rudolph  
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 INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL     SMALL BUSINESS CONCERN     NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 C.F.R. § 1.27(g)(2)]

I acknowledge that (1) any attempt to fraudulently (a) establish status as a small entity or (b) pays fees as a small entity or (2) improperly and with intent to deceive (a) establishing status as a small entity or (b) paying fees as a small entity shall be considered as a fraud practiced or attempted on the Patent and Trademark Office. [37 C.F.R. § 1.27(h)(1) and (2)]

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NAME OF INVENTOR	UWE RUDOLPH
SIGNATURE OF INVENTOR	<i>Uwe Rudolph</i>
DATE	December 11, 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:  Application of: Möhler et al.  
 Patent of:

Application No.: 09/972,799  
 Patent No.:

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[37 CFR and 1.27(a)(1)] - Independent Inventor

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Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

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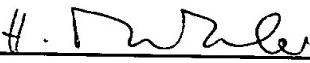
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SIGNATURE OF INVENTOR

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December 11, 2001